

## UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

v.

GERARDO BERNAL

DOCKETED

MAY 24 2004

(Name and Address of Defendant)

MAGISTRATE JUDGE LEVIN

CRIMINAL COMPLAINT

04CR0500  
CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 7/11/2000 in Cook county, in the

Northern District of Illinois defendant(s) did, (Track Statutory Language of Offense)

move and travel in interstate commerce to avoid prosecution for the Illinois felony of murder

in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) FBI Special Agent Official Title and that this complaint is based on the following facts:

**SEE ATTACHED AFFIDAVIT**

Continued on the attached sheet and made a part hereof:  Yes  No



Signature of Complainant

SEAN J. BURKE

Special Agent

Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

May 19, 2004

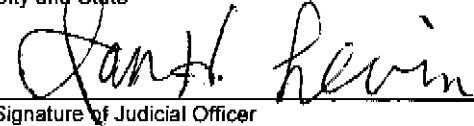
Date

at

Chicago, Illinois

City and State

IAN H. LEVIN United States Magistrate Judge  
Name & Title of Judicial Officer

 Signature of Judicial Officer

STATE OF ILLINOIS      )  
                            )    ss  
COUNTY OF COOK      )

A F F I D A V I T

I, SEAN J. BURKE, being duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), Department of Justice, and have been so employed for over two years. I am currently assigned to the FBI Violent Crimes/Fugitive Task Force and am familiar with fugitive investigations. The information contained in this affidavit was furnished to me by personnel from the Cook County, Illinois, Sheriff's Police Department (CCSPD) and by personnel from the Cook County State's Attorney's Office.

2. On October 25, 1998, DEBORAH BERNAL was beaten and strangled to death. DEBORAH's body was found a short time later in a wooded area of Lemont, Illinois. Subsequent investigation by the CCSPD developed DEBORAH's husband, GERARDO BERNAL, as the suspect involved in the murder. On December 16, 1998, BERNAL was arrested and charged in the Circuit Court of Cook County, Illinois, with Murder, a felony.

3. Between October and November of 1999, BERNAL's bond was reduced. After posting bond, BERNAL was released from custody and was present for several subsequent court proceedings on the murder charge.

Four days before BERNAL's jury trial, he stopped appearing for the court proceedings. On July 11, 2000, the Circuit Court of Cook County issued an arrest warrant for BERNAL. On September 20, 2000, the Circuit Court of Cook County issued an arrest warrant for BERNAL for violating his bond. A copy of the warrants is attached to this affidavit.

4. The CCSPD has been unable to locate BERNAL in the Chicago area. It was suspected by CCSPD that BERNAL had fled to Mexico after he failed to appear for his jury trial.

5. On April 29, 2004, an individual who wished to remain anonymous contacted the Chicago FBI by phone from Jalisco, Mexico, and stated they had information as to the whereabouts of BERNAL. The individual was aware that BERNAL was wanted in the State of Illinois and was willing to provide a current address for BERNAL in Jalisco, Mexico.

6. On May 4, 2004, I contacted a FBI Agent stationed in Mexico with responsibility for liaison in the Jalisco area. The Agent met with the individual mentioned above in person. The FBI Agent was given a current residence for BERNAL in Jalisco along with vehicle information.

7. Based on the above information, I believe that GERARDO BERNAL ultimately fled the State of Illinois to avoid prosecution for Murder.

8. The Cook County State's Attorney's Office will extradite  
BERNAL.

Sean J. Burke  
SEAN J. BURKE  
Special Agent  
Federal Bureau of Investigation

Sworn to and Subscribed  
before me this 19th day  
of May 2004

Ian H. Levin  
IAN H. LEVIN  
United States Magistrate Judge

PEOPLE OF THE STATE OF ILLINOIS

vs

GERARDO BERNAL

CASE NO 99CR0267201 W001

WARRANT TYPE ( DEW )

## ARREST WARRANT

The people of the State of Illinois to all peace officers in the State - Greetings:

We command you to arrest (Defendant) GERARDO BERNAL

for the offense of

(Description) MURDER/INTENT TO KILL/INJURE

(Chapter) 720 (Section) 119-1(A)(1)

stated in a charge now pending before this court and that you bring him/her instantaneously before the Circuit Court of Cook County at (Location) DISTRICT V COURTHOUSE

(Room) 0

10220 SOUTH 76TH AVENUE  
BRIDGEVIEW, IL 60455

at 9:30 A.M. or if I am absent or unable to act, the nearest or most accessible court in Cook County or, if this warrant is executed in a county other than Cook, before the nearest or most accessible judge in the county where the arrest is made

## GEOGRAPHIC LIMITATIONS

Issued in Cook County 07/11/2000

Bail fixed at \$ - NO BAIL --

Unless otherwise indicated below the geographic limitations are those as specified in 725 ILCS 5/107-9(e).



Code 1729

(Geographic Limitations)

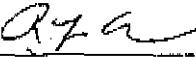
Judge

DAVID F. STEINER

Prosecutor

Judge \_\_\_\_\_ Code 1729  
DAVID F. STEINER

Witness: Aurelia Fukaniki, Clerk of the Court and seal thereof, 07/11/2000

Clerk of the Circuit Court By Deputy Clerk 

Name GERARDO BERNAL

Alias

Residence 1400 ADAST

city JOLIET

stat JOL

zip

Sex	Race	Height	Weight	D.O.B.	Age	Complex	Build	Drivers License
M	WHITE	5' 4"	140 lbs	09/07/1965	34			

IM 001017441 JCB/DCN L12857841 JER630027PA1 JST00032466560 JSS000000000 JBD 07122638

Complainant's Name ASST STATE ATTY

Address 10220 S 76TH AVE

city BRIDGEVIEW

stat JOL

zip 60455

Arresting Officer

star NO0000

Agency/Unit NOT DETERMINED

Reviewed By: 

Judge

Audited By: 

Clerk

Prepared by: SWANE RITA

Printed: 07/11/2000 11:05:04

System: ECR4.D142.5302.RER

CLERK OF THE CIRCUIT COURT OF COOK COUNTY

PEOPLE OF THE STATE OF ILLINOIS  
vs  
GERARDO BERNAL

CASE NO. 04CR2127301 W001  
WARRANT TYPE ( ARREST )

## ARREST WARRANT

The people of the State of Illinois to all peace officers in the State - Greetings:

We command you to arrest (defendant) GERARDO BERNAL for the offense of  
(description) 10 BAIL BOND/CLASS M CONVIC  
(Chapter) 720 (Section) 1/32-10  
stated in a charge now pending before this court and that you bring him/her in answer before the Circuit Court of Cook  
County at (location) DISTRICT V COURTHOUSE  
10220 SOUTH 76TH AVENUE  
BRIDGEVIEW, IL 60455  
(Room#) 40  
at 9:30 A.M. or if I am absent or unable to act, the nearest or most accessible court in Cook County or, if this warrant  
is executed in a county other than Cook, before the nearest or most accessible judge in the county where the warrant is made

## GEOGRAPHIC LIMITATIONS

Issued in Cook County 09/20/2000  
Bail fixed at - NO BAIL --

Unless otherwise indicated below the geographic limitations  
are those as specified in 725 ILCS 5/107-8(e).

(Geographic Limitations)

Judge DAVID P. STERBA Date 1729

Prosecutor

Judge DAVID P. STERBA Code 1729

**W.T.**

Witness: Aurelia Pucinski, Clerk of the Court and seal thereto, 09/20/2000

Clerk of the Circuit Court

*Aurelia Pucinski*

By Deputy Clerk

*RJG*

Name GERARDO BERNAL

Alias

Residence 2458 NOFFET

City CHICAGO

IL

State

60647

Sex	Race	Height	Weight	D.O.B.	Age	Complex	Build	Driver's License
M	WHITE	5' 4"	140 lbs	09/07/1965	35			

TR 001017441 |CB/DCN L1285784 / |PER630027FA1 |SA00032466560 |SA0000000000 |BOND 0000000000

Complainant's Name ASST STATE ATTY

Address 10220 S 76TH AVE

City BRIDGEVIEW

State IL

60435

Arresting Officer

Star No 00000

Agency/Unit COOK COUNTY SHERIFF

Reviewed By:

*DAVID P. STERBA*

Prosecutor

Audited By:

*Be*

Clerk

Prepared by: MINTON, LITA

Printed: 09/20/2000 11:28:45

System: BOP4.0115.B509.WCF

CLERK OF THE CIRCUIT COURT OF COOK COUNTY